

**ARKANSAS STATE BOARD OF PHARMACY**  
**322 South Main St., Suite 600**  
**Little Rock, AR 72201**

**Tuesday, February 9, 2021**

The Arkansas State Board of Pharmacy met for a regular scheduled Board meeting on February 9, 2021. The meeting was held by Zoom and originated at the Arkansas State Board of Pharmacy office located at 322 South Main Street, Suite 600, Little Rock, AR.

The meeting was called to order by Lenora Newsome, P.D., President.

**Members present:**

- \* Rebecca Mitchell, Pharm.D.
- \* Deborah Mack, P.D.
- \* Lynn Crouse, Pharm.D.
- \* Brian Jolly, Pharm.D.
- \* Rodney Richmond, Pharm.D.
- \* Carol Rader, RN
- \* Amy Fore, MHSA

**Staff present:**

- \* John Kirtley, Pharm.D., Executive Director
- \* Brenda McCrady, P.D, Assistant Director
- \* Luke Daniel, General Counsel
- \* Kevin Robertson, Pharm.D., Inspector
- \* Cindy Fain, P.D., Inspector
- \* Lana Whitmore, CFO

**All members were present.**

The minutes from the October 20-22, 2020 Board Meeting were reviewed.

**BOARD ACTION:**

Dr. Crouse made the motion that the minutes of the October 20-22, 2020 Board Meeting be approved as presented. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

Mrs. Whitmore presented the Board with the financial report for review. Mrs. Whitmore also informed the Board that Legislative Audit concluded their FY2019 Audit and there were no findings – a copy of the official report submitted to the Legislative Joint Auditing Committee was provided to board members for review.

**BOARD ACTION:**

Dr. Crouse made the motion to accept the financial report. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Mrs. Whitmore presented the 2021 Board Member Meeting List and Authority for Expense Reimbursement for Board Members and Stipend Authorization, pursuant to Arkansas Statute 25-16-902 and 25-16-905.

**BOARD ACTION:**

Dr. Crouse made the motion to approve the Board Member Meeting List and Authority for Expense Reimbursement for Board Members and Stipend Authorization. Mrs. Rader seconded the motion. The vote for the motion was unanimous.

Dr. McCrady presented the Board with Consent Orders, Probation Consent Orders, Consent Agreements, and Voluntary Surrenders.

**BOARD ACTION:**

Dr. Mack made the motion to approve and accept all orders and agreements as presented. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

*Discussion Items:*

The Board discussed meeting dates for October as well as setting a Called Board Meeting in April for a couple of upcoming hearings.

Dr. Kirtley informed the Board that the Board's Bill for removing the endorsement requirement for nursing home consultant and disease state management passed and was signed by the Governor. He said staff would now start the process for rule changes to match our rules to statute, as well as remove the endorsement requirement for authority to administer immunizations. Dr. Kirtley said the only endorsement left would be for preceptors of foreign graduates trying to obtain their required hours for licensure.

The Board interviewed candidates for Reciprocity. Each applicant was asked to complete a questionnaire regarding practice history, type of business, and background. The Board interviewed the candidates in three separate groups and made motions for each specific group. The following candidates appeared before the Board via ZOOM:

April	Nicole	Adams
Amina		Alam
Moatasem	M.	Amer
Tevieca	Lynette	Andrews
Emily	Naa Norley	Asamoah
Sara		Baig
Mya	Jenae	Baker
Amanda	Louise	Berishaj
Micah	Lee	Cheak
Ryan	Scott	Collins
Ronald	Mark	Curtis
Amanda	Colby	Davis
Samantha	A.	Delgado

Rafael	Angel	Diaz
Deborah	Christena	Ebbighaus
Laura	Fay	Edmondson
Kayleigh	Dawn	Emerson
Oscar	Santos	Ereso
Megan	Ann	Fertig
Chelsea	Jean	Gladback

**BOARD ACTION:**

Dr. Crouse made the motion to approve the above applicants for reciprocity. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Wesley	Neil	Harbison
James	Joseph	Harnois
Samantha	Marie	Higley
Peter	Nghia Xuan	Ho
Michael	Chimdi	Ifedi
Seo Hyun		Jang
Shibu		John
Alyssa	Theodora	Johnson
Florence	Akinyi	Johnson
Steven	R.	Johnson
Soni	Joseph	Kennedy
Jonathan	Nicholas	Kusnierz
Samuel	Shik	Lee
Scott		Lindsey
Mark	Mitchell	Lingerfelt
Leah	Fruge	Lowry
Ciara Eileen	Manucom	Macenas
Peter	Helmy Aziz	Makar
Kevin	Adkins	Marshall
Katie	Marie	Martin
Wesley	Charles	Mayfield
Hector	Aquiles	Medrano
Lauren	Taylor	Motto
Jessica	Elizabeth	Murphy

**BOARD ACTION:**

Dr. Mack made the motion to approve the above applicants for reciprocity pending any outstanding completion of application requirements. Dr. Richmond seconded the motion. The vote for the motion was unanimous.

Phuong	Vicky	Nguyen
Anokhi		Patel
Natalie	A.	Patten

Son	Thien	Pham
Margarette	Beth	Reade
Allen	Brian	Reece
Danielle	Rumi	Richardson
Donald	Lee	Roberts
Nasiredin	Mir Mohammad	Sadeghi
Greta	Luise	Shoemaker
Jake	Alexander	Shouppe
Shannon	Marie	Somero
Trevor	Bryan	Strenchock
Jeffrey	Reed	Tallant
Caleb	RKP	Tang
Kim	Ngoc	Tran
Brett	Joseph	Whalen
Emily	Acker	Yoho

**BOARD ACTION:**

Dr. Mitchell made the motion to approve the above applicants for reciprocity. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Ronnie Tyson appeared before the Board by request to discuss his application for reciprocity and the Arkansas Jurisprudence Exam.

**BOARD ACTION:**

Dr. Crouse made the motion to approve the reciprocity application for Ronnie Tyson pending completion of application requirements. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

Clayton Butler with Arkansas Heart Hospital appeared before the Board with a request from Encore Medical Center for approval to do remote order entry for their facilities.

**BOARD ACTION:**

Dr. Mitchell made the motion to approve the request for remote order entry. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

Kyle Wheelless appeared before the Board with his attorney, Michael Miscullei, to request reinstatement of his pharmacy intern permit.

**BOARD ACTION:**

Dr. Mitchell made the motion that he is eligible to have his pharmacy intern license reinstated pending the outcome of a forensic evaluation by a psychiatrist, and he will reappear at the April Informal meeting of the Board. Dr. Mack seconded the motion. The vote for the motion was unanimous.

Benjamin McMurry appeared before the Board with a representative from the Support Group to update the Board on his status.

David Boudreaux and Clay Morris appeared before the Board on behalf of Red River Pharmacy as requested by board staff for approval for an Out-of-State Pharmacy application. Red River has a current permit with Arkansas, and they are splitting their current services (nuclear pharmacy, compounding hospice pharmacy and infusion pharmacy) and need separate licenses issued prior to full inspection by the Texas Board of Pharmacy.

**BOARD ACTION:**

Dr. Mack made the motion to approve the pending Out-of-State Pharmacy application for Red River Pharmacy Services (Suite C) located in Texarkana, TX. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

Allyson Snow and Mark Boesen, attorneys with Boesen & Snow Law appeared before the Board to represent Marc Finke and Ann Davis with AssistRx to request approval for a pickup station to provide HIV medications to patients in Arkansas who do not have reliable home address due to homelessness, transient housing, etc. The request is to deliver the prescriptions to clinics/doctor offices in the patient's name.

**BOARD ACTION:**

Dr. Crouse made the motion to deny this request for a prescriber/clinic based pickup station. Dr. Mack seconded the motion. Mrs. Fore voted no. The motion passes.

Mr. Daniel presented the Board with another Consent Agreement.

**BOARD ACTION:**

Dr. Mitchell made the motion to accept the consent agreement as presented. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

Shelley Tustison and Phil Reynolds appeared before the Board on behalf of Walmart Corporation to seek approval for a change to Walmart's Central Fill process to make it more automated.

**BOARD ACTION:**

Dr. Crouse made the motion to deny the request by Walmart for automated dispensing without a pharmacist's final verification on the prescription. Dr.

Richmond seconded the motion. Dr. Mitchell and Mrs. Rader voted against the motion. Dr. Mack did not vote. The vote for the motion passes.

Shelley Tustison with Walmart discussed positions at their central fill pharmacies for machine maintenance/technical support personnel and the Board determined that these individuals would need to be registered with the Board as pharmacy technicians

Towana Pewitt appeared before the Board as requested by board staff.

**BOARD ACTION:**

Dr. Mitchell made the motion to take no disciplinary action against her pharmacy technician permit except to require her to participate in the Employee Assistance Program offered by CHI, subject to random drug screening as determined by board staff, and she will need to return to the June Board Meeting for a progress report. Mrs. Fore seconded the motion. The vote for the motion was unanimous.

The Board adjourned for the day.

**Wednesday, February 10, 2021**

The meeting was called to order by Lenora Newsome, P.D., President.

**Members present:**

- \* Rebecca Mitchell, Pharm.D.
- \* Deborah Mack, P.D.
- \* Lynn Crouse, Pharm.D.
- \* Brian Jolly, Pharm.D.
- \* Rodney Richmond, Pharm.D.
- \* Carol Rader, RN
- \* Amy Fore, MHSA

**Staff present:**

- \* John Kirtley, Pharm.D., Executive Director
- \* Brenda McCrady, P.D, Assistant Director
- \* Luke Daniel, General Counsel
- \* Kevin Robertson, Pharm.D., Inspector
- \* Cindy Fain, P.D., Inspector
- \* Lana Whitmore, CFO

**All members were present.**

Mr. Daniel presented the Board with a Consent Agreement.

**BOARD ACTION:**

Dr. Mack made the motion to accept the consent agreement as presented. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

Pamela West appeared before the Board by request to discuss her application for reciprocity and the Arkansas Jurisprudence Exam.

**BOARD ACTION:**

Dr. Mitchell made the motion to approve the reciprocity application for Pamela West pending completion of application requirements. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Marsall Lamont Rhys, Pharmacy Technician Applicant, Case #2019-063**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

**BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Marsall Lamont Rhys, Pharmacy Technician Applicant, Case #2019-063**, that Allegations A1 – A6 are true, and Charges C1 – C4 are proven; however, in acknowledgement of the remediation activity he has performed and his testimony today, I move that we approve his pharmacy technician application. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Emily Marie Johnston, PT08581, Case #2020-124**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Crouse made the motion in the matter of **Emily Marie Johnston, PT08581, Case #2020-124**, that Allegations A1 – A6 are true, and Charges C1 – C5 are proven and move to revoke her pharmacy technician permit. Mrs. Rader seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Joshua Dadreyon Allison, PT09076, Case #2020-113**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Richmond made the motion in the matter of **Joshua Dadreyon Allison, PT09076, Case #2020-113**, that Allegations A1 – A4 are true, and Charges C1 – C4 are proven and move to revoke his pharmacy technician permit. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Holly Gayle Gillmore, PT09381, Case #2020-061**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Jolly made the motion in the matter of **Holly Gayle Gillmore, PT09381, Case #2020-061**, that Allegations A1 – A4 are true, and Charges C1 – C3 are proven and move to revoke her pharmacy technician permit. Mrs. Rader seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Chasity Elaine Lara, PT08227, Case #2020-117**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Mack made the motion in the matter of **Chasity Elaine Lara, PT08227, Case #2020-117**, that Allegations A1 – A4 are true, and Charges C1 – C3 are proven and move to revoke her pharmacy technician permit. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Toni Marie Linder (Hollis), PT08618, Case #2020-115**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

**BOARD ACTION**

Dr. Richmond made the motion in the matter of **Toni Marie Linder (Hollis), PT08618, Case #2020-115**, that Allegations A1 – A4 are true, and Charges C1 – C4 are proven and move to revoke her pharmacy technician permit. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

Discussion Items:

The Board discussed pharmacy permits being displayed in pharmacies for inspection purposes.

The Board discussed October Meeting Days and set a three-day meeting for October 12 – 14, 2021.

The Board set April 28<sup>th</sup> as a called board meeting for hearings.

The Board adjourned for the day.

Thursday, February 11, 2021

The meeting was called to order by Lenora Newsome, P.D., President.

**Members present:**

- \* Rebecca Mitchell, Pharm.D.
- \* Deborah Mack, P.D.
- \* Lynn Crouse, Pharm.D.
- \* Brian Jolly, Pharm.D.
- \* Rodney Richmond, Pharm.D.
- \* Carol Rader, RN
- \* Amy Fore, MHSA

**Staff present:**

- \* John Kirtley, Pharm.D., Executive Director
- \* Brenda McCrady, P.D, Assistant Director
- \* Luke Daniel, General Counsel
- \* Kevin Robertson, Pharm.D., Inspector
- \* Cindy Fain, P.D., Inspector
- \* Lana Whitmore, CFO

**All members were present.**

Third year pharmacy students from the colleges of pharmacy in Arkansas who failed the Board's Arkansas Jurisprudence Exam two times appeared in front on the Board to request to take the exam for a third time.

**BOARD ACTION:**

Dr. Crouse made the motion to approve these pharmacy students to retake the exam for a third time. Dr. Mack seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **WebRx Pharmacy Palace, an unlicensed pharmacy, and Thomas Savino, an unlicensed pharmacist, Case #2020-110**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing.

#### **BOARD ACTION**

Dr. Crouse made the motion in the matter of **WebRx Pharmacy Palace, an unlicensed pharmacy, and Thomas Savino, an unlicensed pharmacist, Case #2020-110**, that Allegations A1 – A15 are true, and Charges C1 – C9 are proven, and move to fine the pharmacy \$1,000 per prescription and the pharmacist \$500 per prescription, and the balance for disciplinary and investigative costs which comes to \$35,000 for the pharmacy and \$35,000 for the pharmacist. Dr. Richmond seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Alaina Marie Brott, PT93568, Case #2020-012**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

#### **BOARD ACTION**

Dr. Mack made the motion in the matter of **Alaina Marie Brott, PT93568, Case #2020-012**, that Allegations A1 – A7 are true, and Charges C1 – C4 are proven; however, I move that we take no action on her pharmacy technician permit. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Raven Dawn Mason, Pharmacy Technician Applicant, Case #2021-009**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

The respondent withdrew her application and the Board accepted.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **William Lee Doles, PD12411, Case #2020-119**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not present for the hearing. Dr. Richmond recused from this hearing.

**BOARD ACTION**

Dr. Mack made the motion in the matter of **William Lee Doles, PD12411, Case #2020-119**, that Allegations A1 – A13 are true, and Charges C1 – C5 are proven and move to suspend his pharmacist license at this time. Dr. Crouse seconded the motion. The vote for the motion passes.

*Support Group Discussion*

Dr. Kirtley told the Board that Lelan Stice sought guidance from staff for the ability to use a storage area in the same building as his pharmacy (and other businesses), but separate from the pharmacy to provide immunizations and to store immunization products and supplies due to the burden on his staff of the time to transport everything back and forth every day.

**BOARD ACTION:**

Dr. Mack made the motion to not allow prescription drugs to be stored in a space that is not a part of the pharmacy's permitted area and recommends he transport the products back and forth every night. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Lincoln Neal, unlicensed intern, formerly PI22347, Case #2019-060**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not represented by counsel. Dr. Richmond recused from this hearing

**BOARD ACTION**

Dr. Jolly made the motion in the matter of **Lincoln Neal, unlicensed intern, formerly PI22347, Case #2019-060**, that Allegations A1 – A15 are true, and Charges C1 – C4 are proven; however, I move to reinstate his pharmacy intern license conditional upon his reacceptance and readmittance into a college of pharmacy. Dr. Mitchell seconded the motion. The vote for the motion passes.

A hearing was scheduled in answer to an Order and Notice of Hearing in the matter of **Heather Lea Ketsouryavong, Pharmacy Technician Applicant, Case #2021-113**. Dr. Newsome called the hearing to order and turned the proceeding over to the Hearing Officer, Jacob Jones. The Board was represented by Luke Daniel. The respondent was not represented by counsel.

**BOARD ACTION**

Dr. Mitchell made the motion in the matter of **Heather Lea Ketsouryavong, Pharmacy Technician Applicant, Case #2021-113**, that Allegations A1 – A8 are true, and Charge C1 is proven and given her testimony today, I move that we take no action on her pharmacy technician application. Dr. Mack seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Ashley Allen, PT08170**.

**BOARD ACTION:**

Dr. Mack made the motion to suspend the pharmacy technician permit of **Ashley Allen, PT08170** pending a full revocation hearing. Dr. Crouse seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Pamela Hon, PT05873**.

**BOARD ACTION:**

Dr. Crouse made the motion to suspend the pharmacy technician permit of **Pamela Hon, PT05873** pending a full revocation hearing. Dr. Jolly seconded the motion. The vote for the motion was unanimous.

The Board conducted an emergency hearing in the matter of **Lindsey Fatherree, PT10253**.

**BOARD ACTION:**

Dr. Mack made the motion to suspend the pharmacy technician permit of **Lindsey Fatherree, PT10253** pending a full revocation hearing. Dr. Mitchell seconded the motion. The vote for the motion was unanimous.

The meeting was adjourned.

Prepared by:

  
Lana Whitmore, CFO

Approved for the Board:

  
Lenora Newsome, P.D., President